

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE
LITIGATION

THE COUNTY OF SUMMIT, OHIO, ET AL.,
Plaintiffs,
v.

PURDUE PHARMA LP, ET AL.,
Defendant

MDL NO. 2804

CASE NO. 17-MD-2804

JUDGE: DAN AARON POLSTER

**SUMMARY SHEET FOR DEFENDANT
DISCOUNT DRUG MART, INC.'S
REPLY IN SUPPORT OF ITS MOTION
FOR SUMMARY JUDGMENT**

Pursuant to Special Master Cohen's Order Regarding Pretrial Motions for "Track One" Trial, dated May 30, 2019, Defendant Discount Drug Mart, Inc. ("DDM") submits the following summary sheet relating to its Reply in Support of Motion for Summary Judgment:

- The only thing that Plaintiffs can prove is that DDM shipped orders to its own pharmacies in Cuyahoga and Summit Counties through 2014 to fill legitimate prescriptions at volumes DEA deemed appropriate.
- Based on this, Plaintiffs contend that DDM must have caused some injury and damages;
- In doing so, Plaintiffs have not identified a *single order* that was actually "suspicious" or a *single dosage unit* that was actually diverted;
- As more fully explained in the Reply Brief, this is insufficient *as a matter of law* to demonstrate the *requisite causal connection* between DDM's shipments and Plaintiffs' damages.

Respectfully submitted,

/s/ Timothy D. Johnson
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CERTIFICATE OF SERVICE

A copy of the foregoing **SUMMARY SHEET FOR DEFENDANT DISCOUNT DRUG MART, INC.'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT** was filed and served this 16th day of August, 2019 in accordance with Doc #: 1719.

/s/ Timothy D. Johnson
TIMOTHY D. JOHNSON
Attorney for Defendant Discount Drug Mart, Inc.